

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
8/19/2019
FINAL**

Minutes of the Village of Fayetteville Board of Trustees meeting held Monday, August 19, 2019 at 6:00pm.

PRESENT:

Mayor Olson	Supt. Massett	Mr. King	Marguerite Ross	Jason Feulner
Trustee Kinsella	Attorney Spencer	Neil Germain	Greg Sgromo	
Trustee Small	Chief Hildreth	Jason Klaiber	Rachael McClemens	
Trustee Ashby	Mike Jones, CEO	Chuck White	Martin Butts	
Clerk Corsette	Sara Bollinger	Chris Bollinger	Rick Hall	

Mayor Olson called the meeting to order at 6:00pm in the Board Room of the Fayetteville Village Hall.

Mayor Olson led those present in a recitation of the Pledge of Allegiance

Mayor Olson asked for a moment of silence for Earl Smith a Past President and Lifetime Member of the Fayetteville Fire Department.

MINUTES JULY 15, 2019

Trustee Ashby made a motion to accept the minutes of the July 15, 2019 meeting. Trustee Small seconded the motion and it was carried by a unanimous vote.

ABSTRACT #4

Trustee Small made a motion to approve Abstract #4 in the amount of \$493,577.47. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

FOUBU/547 EAST GENESEE STREET

Attorney Holly Austin reviewed the SEQRA Application for the proposed Planned Unit Development at 547 East Genesee Street. Attorney Austin explained that the Board of Trustees met on August 9, 2019 to review the Final Environmental Impact Statement (FEIS), during that review there was focus on the impact the proposed project would have on the F-M School District, Traffic Concerns, Density and the potential disturbance of contaminated property.

Attorney Austin stated that after the Board of Trustees reviewed the FEIS they determined that a mixed use goals that were cited as possible uses that would not have the same impact as the proposed development and the property could be developed as is with no zone change necessary.

Attorney Austin read the following Statement of Findings

VILLAGE OF FAYETTEVILLE BOARD OF TRUSTEES STATEMENT OF FINDINGS AND DECISION ON PUD APPLICATION FOR 547 EAST GENESEE STREET 1.0 Introduction

The Village of Fayetteville (the “Village”) the Village of Fayetteville Board of Trustees (“Board of Trustees”) received an application from Morgan Properties, which later assigned its rights in the application to FOUBU Environmental Services, LLC (FOUBU Environmental Services, LLC is hereinafter referred to as the “Applicant”) for demolition of facilities on the former Accurate Die Casting site with an address of 547 East Genesee Street, Fayetteville, New York (“Property”); the rezoning of the Property to Planned Unit Development (“PUD”) district; development of the site with five (5) 3-story apartment buildings each comprised of 30 apartments, ten (10) 2-story townhouse style apartment buildings each comprised of 5 apartments, for a total of 200 units; four 2-story commercial/mixed use buildings to include residential and commercial uses; construction of ancillary support facilities including a community center, maintenance building, parking, access, landscaping, open green space, and stormwater management (“Project”). The Project requires a zone change to a PUD district; site plan review; sanitary service connection approval from the Village of Fayetteville, sanitary discharge approval from Onondaga County Department of Water Environment Protection; water service connection approval from Onondaga County Water Authority; a Highway Work Permit; and coverage under the New York State Department of Environmental Conservation Construction Stormwater General Permit; and the Project site is a contaminated property and is in the Brownfield Cleanup Program with site identification number C734052. This document is the Statement of Findings issued by the Board of Trustees as Lead Agency under the State Environmental Quality Review Act (“SEQRA”).

1.1 The SEQRA Process

This document represents the conclusion of the environmental review of the Project. The Board of Trustees has acted as Lead Agency in evaluating the environmental, economic and social implications of the Project. On April 2, 2018, the Board of Trustees declared the Project to be an Unlisted action and, after issuing a Notice of Intent to Act as Lead Agency, acted as Lead Agency. Pursuant to SEQRA, the Applicant submitted to the Board of Trustees Part 1 of a Full Environmental Assessment Form (“FEAF”) dated November 29, 2017, and submitted a revised Part 1 of the FEAF dated May 10, 2018. New SEQRA regulations went into effect January 1, 2019, making the project a Type I action because it will create 200 or more units that will be connected to existing community or public water and sewerage systems, and because it will create more than 500 parking spaces. {H3709610.1}

2 The Applicant then submitted a revised Part 1 of the FEAF dated January 25, 2019. Part 1 of the January 25, 2019 FEAF was reviewed by the Board of Trustees, and deemed adequate and accurate relative to the Project on January 28, 2019. The Board of Trustees caused Part 2 and 3 of the FEAF to be completed. The Board of Trustees issued a Positive Declaration for the Project on January 28, 2019. The Board of Trustees has coordinated its SEQRA review with the Planning Board, the New York State Department of Environmental Conservation (“NYSDEC”), New York State Department of Transportation (“DOT”), the Town of Manlius, Onondaga County Department of Water Environment Protection, and the Onondaga County Water Authority as Involved and Interested Agencies. The Applicant submitted a draft Scope for the Project on March 20, 2019. A copy of the draft scope was distributed by the Board of Trustees to the Involved and Interested Agencies, as well as individuals requesting a copy. The Board of Trustees issued the Final Scope on May 6, 2019. The Applicant submitted a Draft Environmental Impact Statement (“DEIS”) on May 24, 2019. On June 10, 2019, the Board of Trustees determined the DEIS adequate with respect to its scope

and content for purpose of commencing public review pursuant to 6 NYCRR 617.9 and issued the Notice of Completion of the DEIS. Comments to the DEIS were accepted by the Board of Trustees through July 11, 2019. Seventeen (17) written comment letters were received resulting in a total of eighty-three (83) comments. Nineteen (19) persons spoke at the public hearing resulting in nineteen (19) additional comments, other than those provided in writing, for a total of one hundred and two (102) comments. The Applicant then provided its response to the one hundred and two (102) comments. The Applicant submitted a draft of the Final Environmental Impact Statement on July 29, 2019. Thereafter, the Board of Trustees prepared a prologue to the Final Environmental Impact Statement (“FEIS”) with the assistance of the Village’s legal and technical experts. On August 9, 2019, the Board of Trustees issued its “Determination of Completion of the FEIS” in accordance with the SEQRA regulations at 6 NYCRR 617.9(a) and gave notice of said determination and filing to the Involved and Interested agencies, as well as individuals requesting a copy. All documents referenced herein, including, but not limited to the DEIS and FEIS, are incorporated by reference in their entirety into these SEQRA Findings. Under the SEQRA regulations, this Findings Statement must: (1) consider the relevant environmental impacts, facts and conclusions disclosed in the FEIS; (2) weigh and balance relevant environmental impacts with social, economic and other considerations; (3) provide a rationale for the Board of Trustees’ decision; (4) certify that the requirements of SEQRA have been met; and (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

1.2 Summary of the Environmental Impacts Associated with the Project. The Project involves various environmental impacts that are discussed more fully below, but fit into the following categories:

- The Project involves market rate apartments that would add to the number of school age children in the Village, which would have significant impacts on the Fayetteville-Manlius School District, particularly the elementary schools which are already at capacity.
- The Project involves traffic impacts in an area that already struggles with some congestion, particularly related to the Route 5 and Route 257 intersection;
- There are Environmental Impacts associated with the scale and density of the Project, which would impact the community character; and
- There are significant Environmental Impacts associated with the fact that the site is contaminated, and while significant remediation has been completed some remaining contamination may be disturbed during development.

The above-referenced Environmental Impacts are discussed in further detail below.

2.0 Project Approvals Required and Anticipated Sequencing The Project requires a number of approvals from the Village and other agencies, including, but not necessarily limited to:

1. Coverage under the New York State Department of Environmental Conservation (“NYSDEC”) State Pollution Discharge Elimination System (“SPDES”) General Permit for Storm Water Discharges from Construction Activity (GP-0-15-002) is required for storm water discharges from construction phase activities disturbing one-acre or greater. Village (as MS4) will be the agency to provide the review of the stormwater plans.
2. 60-day advanced Change of Use Notification to NYDEC under the Brownfield Cleanup Program is required for change in site use, change in site ownership, change in responsibility for the proposed ongoing or completed remedial program, and transfer of Certificate of Completion.
3. NYSDOT Highway Work Permit Work within NYS highway right-of-way (ROW) is required from NYSDOT.
4. Consultation Compliance with State & National

Historic Preservation Acts State Historic Preservation Office (SHPO) 5. Rezoning by the Village Board to allow proposed use 6. Site Plan Review and approval is required by the Village Planning Board 7. General Municipal Law (GML) §239-m requires Onondaga County Planning Board review of activities located within 500-feet of State or County highway, municipal boundary or park. 8. Water and Wastewater System Improvements Approval of Plans is required from OCWA, Onondaga County Health Department, and OCDWEP for water and wastewater infrastructure improvements and connections. 9. Sanitary Sewer Discharge Offsets Purchase of offset reductions from the Village and OCDWEP is required for discharges into the Meadowbrook Limestone WWTP service area, to compensate for inflow and infiltration (I&I) issues. 10. Building & Demolition Permits are required from the Village. 11. A Certificate of Occupancy Approval to occupy buildings is required from the Village 3.0 Cumulative Impacts

As part of the SEQRA process, the Lead Agency reviewed the cumulative environmental impacts resulting from development of the Project as proposed.

3.1 Schools Based on correspondence received from the Superintendent of Schools for the district, Dr. Craig Tice, the school district is concerned that the approval and construction of the market rate apartments will introduce additional enrollment in the school district, especially at the elementary school age. The school district is currently at 100% capacity at its three (3) elementary schools. In its FEIS draft, the Applicant calculated the number of students it believes will be added to the school district using reports by the National Multi-Housing Council and the Joint Center for Housing Studies at Harvard University, which utilized data from American Housing Survey. The Applicant determined 22-40 new students would be added across 12 grade levels. That number of new students alone will be problematic for a grade school that is at maximum capacity. However, the Lead Agency believes the Applicant's numbers may not be accurate and the total number of new students could be higher than they calculated. The Applicant made its determination based on only 200 residential units, though if the Applicant includes residential units in its mixed-use buildings there could be a total of more than 200 residential units in their proposed development, which could mean more families with school-age children. Further, the use of national data does not account for the particulars of the greater Syracuse Metropolitan Area. Fayetteville-Manlius School District has an excellent reputation, which will make the apartments in the proposed development particularly attractive to families with school-age children, and potentially drive up the numbers of school aged children who will reside in the apartments. The Fayetteville-Manlius School District commissioned a demographic study by Dr. Jerome McKibben to determine the effects of new housing developments within the Fayetteville-Manlius district. The school district has asked the Village to take this information into consideration when deliberating on the environmental review as well as the zone change for the project. Dr. McKibben's study determined that the proposed market rate apartments could potentially increase elementary enrollment by 92 students, which would require drastic infrastructure changes for the school district in the form of building additions. Any such increase would be at the cost of the taxpayers.

3.2 Traffic Many of the public comments that were received on the DEIS relate to traffic and concerns that the Project will increase congestion, particularly with regard to the Route 5 and Route 257 intersection. A significant portion of approximately 200 market rate apartments are likely to be rented by individuals and families with at least one, and often two, people who commute and would add to peak periods of traffic. The Project includes a two way left turn lane on Route 5 from "Fayetteville Square" eastbound, with dedicated east bound left turn lanes for the development's driveways. This turn lane may help ease some of the congestion that would be created by the significant increase in traffic

during peak times, but the Village remains concerned about travel and wait times increasing for Village residents and commuters who travel through the Village during peak traffic times.

3.3 Impacts associated with Project Density/Neighborhood Character {H3709610.1} 6 Throughout the FEIS, the Applicant indicates that the proposed development is 200 units. By the Village review of the application there are at least 212 apartment units (plus the 22,000 square feet of commercial retail space, plus the club house and pool). While the subject site is 31.81 acres the actual development is compressed to the south portion of the site (due to topographic considerations). For the subject site, if we discount the north section of the property as unusable due to flood plain or steep slopes, the usable lot area is approximately 18.6 acres. Therefore, the density of the development is over 11 units per acre, and that does not include the commercial component of the development or the club house or maintenance building. In all of the Village of Fayetteville residential zoning districts the maximum percent lot coverage is 30%. Over this useable area the proposed development includes approximately 487,875 sf (11.2 acres) of building, drive and parking impervious area, creating a lot coverage of 60% over the usable lot area which greatly exceeds the lot coverage allowed in all other Village of Fayetteville residential districts. The proposed conceptual layout does not comply with the Village ordinance with regard to parking space size (200 sf minimum where the plan provides for 162 sf per parking space). Also, the proposed parking lot plan requires cars to be stacked directly in front of garage stalls which is a nonconforming parking space. As a result, any final plan for this scale of development will include additional impervious areas and that will further impact the lot coverage and thus the density of the development. The proposed conceptual layout does not provide for a place holder for NYSDEC mandated stormwater runoff reduction and water quality basins at the source of the runoff. The Village of Fayetteville as a MS4 community for the NYSDEC SPDES program will mandate strict conformance to all stormwater management and mitigation requirements. By not accounting for at least place holder areas for water quality mitigation the overall layout of the proposed development could be greatly impacted. This impact can affect the density of the development and also create additional or greater environmental impacts. The proposed development includes five (5) three story apartment buildings each with a foundation footprint of 16,000 square feet (approximate 80 feet by 200 feet). There are no residential apartment structures anywhere in the Village that come close to this scale and size. As well there are no 3-story, 35-foot-tall residential apartment buildings in the Village. This scale of residential building is out of character for the neighborhood.

3.4 Hazardous Waste The project site is contaminated. While much of the historic contamination has already been addressed, there is residual contamination that may be encountered during construction and that will need to be addressed at that time. The Lead Agency is aware that NYSDEC will be overseeing the work and requiring the applicant to engage in measures that are protective of the health of members of the community should contamination be encountered during construction. Ultimate conclusion of remedial {H3709610.1} 7 activities at the site is desirable for the community, which will be accomplished through the redevelopment process.

4.0 Alternatives In evaluating the Project, the Lead Agency is required to certify from among the reasonable alternatives available that the Project is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable. The Applicant provided four (4) reasonable alternatives to the Lead Agency in the DEIS. As required by SEQRA, the Lead Agency was obligated to review and evaluate the range of reasonable

alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor. The range of alternatives was required to include a “no action” alternative with an evaluation of the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the proposed action. The range of alternatives may also include alternative sites, technology, scale or magnitude, design, timing, use and types of actions. Applicant’s Alternatives: 1. “No Action” alternative In the DEIS, the Applicant noted that this alternative does not provide for a final resolution of the contamination that remains on the property, and would lead to continued deterioration of the existing vacant building. 2. Alternative sites Paragraph 617.9(b)(5)(v) in the SEQRA regulations specifically states that for private applicants, alternatives may be limited to sites where the sponsors own or have under a purchase option. The applicant has ownership of the Property in question. Additionally, developing a different site instead of the Property in question does not provide for final resolution of the contamination that remains on the property, and would lead to continued deterioration of the existing vacant building. 3. Alternative scale/magnitude/design The Applicant has been in discussions with the Village regarding the potential development of the Property for a number of years, and has revised the Project plans several times. The revisions have resulted in a minimization of the Project footprint, reduction in the number of apartments, modifications to access locations to facilitate access and traffic flow, an increase in greenspace, and addition of architectural elements to increase consistency with the surroundings. The Applicant maintains that significant reduction in the components of the project scale is not economically feasible. 4. Alternative timing Changing the build-out of the Project and extending it further would not reduce the overall impacts, and would only extend them over a longer period of time. In compliance with SEQRA and given the significant adverse environmental impacts summarized above, the Lead Agency developed other reasonable alternatives to the proposed action, as set forth in the FEIS. In developing the reasonable alternatives to the Project that are feasible, the Lead Agency considered the objectives and capabilities of the project sponsor and identified the following environmental impacts to be considered for any reasonable alternative: • Impact on school district • Traffic impacts • Density/Community Character impacts • Hazardous Waste impacts because the property is contaminated, and • Stormwater impacts Based upon these considerations, the Lead Agency developed the following additional reasonable alternatives, which were evaluated in the FEIS: 5. Mixed Use Development with Senior Housing and Commercial/Retail This option would look at a patio home independent living community with some 2-story assisted living components. The commercial component of the mixed-use option could be of a similar makeup of the current proposal with small shop retail and some office, or could incorporate a larger retail facility such as a grocery store. Maximum square footage for the housing component would be approximately 40,000 sq. ft., while the retail component would be a maximum of approximately 60,000 sq. ft. A senior housing development (rather than the proposed market rate apartments) would eliminate and decrease many of the environmental impacts that the Village identified as being of particular concern. Senior housing would not have an impact on the school district. Additionally, a senior housing development has far less traffic impact especially during the morning and evening peak hours. This type of development would be less dense and therefore less impactful on the environmental conditions of the site and storm water runoff into Bishops Brook. This alternative would have a similar impact to the hazardous waste issues with the site and potentially have a larger impact to the Village EMS services. An additional benefit of the senior {H3709610.1} 9 housing component includes addressing the significant need for senior housing options. 6. Building Re-Use as an

Industrial, Warehouse or Distribution Site Re-use and renovation of the existing building as an industrial, warehouse or distribution site would have no or less impact on schools, traffic, hazardous site, density and neighborhoods. This type of re-use would not require a zone change for the subject property. Depending on the user there could be additional truck traffic which would be a negative impact on the Route 5 / Route 257 intersection. 7. Renovation of the Site for Retail Use Retail use would require razing the building structure but could potentially utilize the existing slab, thus reducing the hazardous waste impact on the site. This use would have no or less impact on the schools, density and neighborhoods. This type of use potentially would have a less of an impact on the morning peak traffic and a similar impact in the afternoon traffic. 8. Senior Housing An alternative for the subject site could be a senior housing development without the commercial component but more of a continuing care retirement community approach, with independent, assisted and full care living components in a campus setting. This type of development would not have an impact on schools, and have less of an impact on the traffic, density, and neighbors. Again, the Village EMS service may be impacted to provide additional services for the elderly. The Lead Agency believes the mixed-use senior housing and retail/office appears to minimize the adverse environmental impacts to the maximum extent practicable while still serving the intended function of an economically feasible mixed-use development. 5.0 Certification The Board of Trustees and its legal and technical consultants collectively have spent dozens of hours in the review of the DEIS and preparing the FEIS and accompanying applications. During the application review, the Board of Trustees reviewed numerous written submissions, including those submitted by the public. They have carefully reviewed, questioned and analyzed with the Village's environmental and legal consultants, the various impacts of, alternatives to, and potential mitigation measures for the Project. The Board of Trustees has considered the relevant environmental impacts, facts and conclusions set forth in the FEIS, and has weighed and balanced the relevant {H3709610.1} 10 environmental impacts associated with the Project with social, economic and other considerations, which rationale has been set forth in these SEQRA Findings. Based on its review and the record before it, the Board of Trustees finds that the potential significant adverse environmental impacts of the Project have not been avoided or mitigated to the maximum extent practicable as outlined in this Statement of Findings. The Applicant has not been flexible in its design of the Project and has not provided alternatives to the Project that could have resulted in an improved alternative that avoids and mitigates impacts wherever possible. The Board of Trustees developed its own alternatives in the FEIS to confirm that the property could be developed in a manner that provides mitigation of the environmental impacts associated with the property. Should the Applicant decide to propose a development in a manner consistent with the mixed use senior housing complex and retail/commercial use discussed herein, the Board of Trustees believes that such a project may minimize the adverse environmental impacts to the maximum extent practicable, subject to the various conditions discussed in these SEQRA Findings. After careful consideration of all relevant documentation and comments, the Board of Trustees, serving as the Lead Agency, believes that it has more than adequate information to evaluate all of the benefits and potential impacts of the Project, individually, and cumulatively, as a basis for considering the pending PUD Application which is necessary to proceed. Therefore, in accordance with 6 NYCRR § 617.11, SEQRA's required balancing of potential for significant adverse environmental impacts against social, economic and other essential considerations, the Board of Trustees hereby certifies that: • Consistent with social economic and other essential considerations from among the reasonable alternatives available, the Project does not avoid or minimize adverse environmental impacts to the

maximum extent practicable, and that adverse impacts will not be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable. • Therefore, the PUD for the Project is denied.

RESOLUTION

At a meeting of the Board of Trustees of the Village of Fayetteville, held at the Village Hall in said Village, County of Onondaga, State of New York on the 19th day of August, 2019, at 6:00 p.m.

The meeting was called to order by Mayor Mark Olson, and upon roll being called, the following were:

PRESENT: Mark Olson, Mayor
Daniel Kinsella, Deputy Mayor
Michael Small
Pamela Ashby

ABSENT: Dennis Duggleby

Trustee Kinsella presented the following “Resolution” which was seconded by Trustee Ashby:

RESOLUTION OF THE VILLAGE OF FAYETTEVILLE BOARD OF TRUSTEES ISSUING ITS STATEMENT OF FINDINGS AND DECISION FOR THE PLANNED UNIT DEVELOPMENT PROJECT PROPOSED FOR 547 EAST GENESEE STREET IN THE VILLAGE OF FAYETTEVILLE

WHEREAS, the Village of Fayetteville Board of Trustees (“Board of Trustees”) has received an application from FOUBU Environmental Services, LLC (“Applicant”) for demolition of facilities on the former Accurate Die Casting site with an address of 547 East Genesee Street, Fayetteville, New York (“Property”); the rezoning of the Property to Planned Unit Development (“PUD”) district; development of the site with five (5) 3-story apartment buildings each comprised of 30 apartments, ten (10) 2-story townhouse style apartment buildings each comprised of 5 apartments, for a total of 200 units; four 2-story commercial/mixed use buildings to include residential and commercial uses; construction of ancillary support facilities including a community center, maintenance building, parking, access, landscaping, open green space, and stormwater management (“Project”).

WHEREAS, the Project requires a zone change to a PUD district; site plan review; sanitary service connection approval from the Village of Fayetteville, sanitary discharge approval from Onondaga County Department of Water Environment Protection; water service connection approval from Onondaga County Water Authority; a Highway Work Permit; and coverage under the New York State Department of Environmental Conservation Construction

Stormwater General Permit; and the Project site is a contaminated property and is in the Brownfield Cleanup Program with site identification number C734052.

WHEREAS, the Board of Trustees declared itself the Lead Agency with respect to the Project in accordance with the SEQRA regulations at 6 NYCRR § 617.6;

WHEREAS, on January 28, 2019, the Board of Trustees conducted SEQRA review and issued a Positive Declaration pursuant to the State Environmental Quality Review Act (“SEQRA”), which then necessitates the preparation of an Environmental Impact Statement;

WHEREAS, on March 20, 2019 the Applicant submitted a Draft Scope for the Draft Environmental Impact Statement (“Draft Scope”), which document is required by 6 NYCRR § 617.8, and the draft Scope was accepted by this Board as complete on March 25, 2019;

WHEREAS, on May 23, 2019 the Applicant submitted a Draft Environmental Impact Statement (“DEIS”) pursuant to 6 NYCRR 617.9;

WHEREAS, on June 10, 2019 the Board of Trustees accepted the DEIS as adequate with respect to its scope and content for purpose of commencing public review pursuant to 6 NYCRR 617.9 and issued the Notice of Completion of the DEIS on June 10, 2019;

WHEREAS, the Board of Trustees accepted comments on the DEIS through July 11, 2019;

WHEREAS, the Board of Trustees issued its “Determination of Completeness of the FEIS” on August 9, 2019, in accordance with the SEQRA regulations at 6 NYCRR 617.9(a);

WHEREAS, the Board of Trustees provided copies of the FEIS and “Notice of Completion” to the Involved and Interested Agencies, and to persons requesting a copy of the FEIS;

WHEREAS, on August 9, 2019, the Board of Trustees placed a copy of the FEIS on the Village of Fayetteville website;

WHEREAS, copies of the FEIS and “Notice of Completion” were filed in the office of the Village Clerk for the Village of Fayetteville and made available for public inspection and review;

WHEREAS, the Board of Trustees desires to make and issue its “Findings” with respect to the SEQRA regulations at 6 NYCRR 617.11 and make a decision on the Application; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF VILLAGE OF FAYETTEVILLE BOARD OF TRUSTEES AS FOLLOWS:

- A. The Board of Trustees, has fully considered the relevant environmental impacts, facts and conclusions disclosed in the Final Environmental Impact Statement (“FEIS”) (which incorporates the Draft Environmental Impact Statement by reference) prepared

for the project;

- B. The Board of Trustees has weighed and balanced the relevant environmental impacts with social, economic and other essential considerations;
- C. The Board of Trustees hereby determines that, consistent with social, economic and other essential considerations from among the reasonable alternatives available to the Applicant, the Project does not avoid or minimize adverse environmental impacts to the maximum extent practicable, as set forth in the Statement of SEQRA Findings and Decision, attached as Exhibit "A".
- D. The Board of Trustees hereby authorizes the Mayor to execute the Findings and Decision included as Exhibit "A" to confirm the certifications set forth therein, including, but not limited to, the Certificate to Deny;
- E. The Clerk of the Board of Trustees is hereby directed to file a copy of the Findings and Decision annexed hereto and made a part of this Resolution as Exhibit "A";
 - a. Copies of the Findings and Decision shall be mailed simultaneously to the involved and interested agencies, and to persons requesting a copy of the Findings, as well as the Applicant; and
 - b. Copies of the Findings and Decision shall be filed in the Office of the Village Clerk, Village of Fayetteville and made available for public inspection and review.
- F. This Resolution shall take effect immediately.

THE FOREGOING RESOLUTION, was put to vote as follows:

<u>Name</u>	<u>Vote</u>
Mark Olson, Mayor	Aye
Daniel Kinsella, Deputy Mayor	Aye
Michael Small	Aye
Pamela Ashby	Aye

This Resolution was thereupon duly adopted.

DPW REPORT

Superintendent Massett submitted the following report:

Open Projects:

1. Village Signs: Three of the four signs are built. The last one was started at W. Franklin St. and S. Manlius St. Letter should start next week.
2. Elm St. Drainage: All done residents are happy with the outcome.
3. Sidewalks Grant: 2019 Salt Springs St. and S. Manlius St. project 2 bids are waiting on board approval. DPW to do work for the grant cost.
4. Brush: Still removing brush from wind storm take came throughout the village. Two large trees came down at Warren St. at Orchard St. on the village property of the Ledyard Canal. Trees have been taken down and removed.
5. Road Work Schedule: All scheduled work has been done. Will be working on spot repairs around the village soon.
6. Mill St. & Pratt Ln.: I talk with Rob from the Town of Manlius he will be able to pave streets in September or October. See Estimate.
7. Bridges: Walnut St. Rehab or repair bridge report from B&L Engineers has been sent to the village. Franklin St. Bridge on watch list.
8. Western Gateway: Lights are installed and all are working but one at the UPS store area. Will be fixing the problem soon.
9. Ice Clearing Policy: PESH/ Labor department notice of violation we received three. Two we have complied with the last one is the policy I wrote up and sent to them. I was informed it was sent to Albany and have not heard anything back. As per the board's request a draft copy of the old contract to clear the ice has been updated for the board to review. See copy.
10. Senior Center: Still need to remove the old ramp roof as soon as possible. Quotes for tree removal in front of building. See estimates.
11. Storm Basins: Started repairs last week.
12. Day Care Building: A leak has developed under the front windows that the DPW installed during the heavy driving rain we are receiving. See paper work.

FIRE DEPARTMENT APPLICATIONS

Trustee Kinsella made a motion to approve the application from Adam Pennisi to the Fayetteville Fire Department. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion to approve the application from Katherine Lutz to the Fayetteville Fire Department. Trustee Ashby seconded the motion and it was carried by unanimous vote.

FAYETTEVILLE CAREER FIREFIGHTERS ASSOCIATION

Trustee Kinsella made a motion to adopt the following Resolution:

RECOGNIZING THE FAYETTEVILLE CAREER FIREFIGHTERS ASSOCIATION AS THE EXCLUSIVE BARGAINING REPRESENTATIVE FOR CERTAIN EMPLOYEES OF THE VILLAGE'S FIRE DEPARTMENT

WHEREAS, the Town of Manlius Professional Firefighters Association, IAFF Local 3316 ("TMPFA") was certified by the New York State Public Employment Relations Board on March 5, 2001 as the exclusive collective bargaining representative for a unit consisting of all regular full-time employees holding the positions of Firefighter (EMT), Firefighter (EMT Basic), and Fire Lieutenant within the Village's Fire Department; and

WHEREAS, the TMPFA has recently disclaimed any interest in continuing to represent said bargaining unit; and

WHEREAS, the Fayetteville Career Firefighters Association, IAFF Local 5228 ("FCFA"), which claims to be an employee organization within the meaning of the New York State Taylor Law, has requested the Village Board of Trustees to recognize it as the exclusive collective bargaining representative for the aforesaid bargaining unit; and

WHEREAS, the FCFA has demonstrated that it has majority status with respect to said unit;

NOW, THEREFORE BE IT RESOLVED, that effective immediately, this Board of Trustees hereby recognizes the FCFA as the exclusive representative for the aforesaid defined bargaining unit; and

BE IT FURTHER RESOLVED, that all other employees of the Village shall continue to be excluded from the FCFA's bargaining unit.

CIVIL SERVICE ELIGIBILITY LIST

Chief Hildreth requested that the Board of Trustees authorize Clerk Corsette to request an Eligible List from Onondaga County Civil Service for the position of Firefighter/EMT.

Trustee Kinsella made a motion to authorize Clerk Corsette to request a Firefighter/EMT Eligible List from Onondaga County Civil Service and to send Canvas Letters to potential candidates. Trustee Small seconded the motion and it was carried by unanimous vote.

FAYETTEVILLE FIREFIGHTER/EMT PART TIME HIRE

Trustee Kinsella made a motion to authorize Chief Hildreth to hire James Peet and Nate Baker for the Part-Time Positions of Firefighter/EMT at the current rate of \$19/hour effective immediately. Trustee Ashby seconded the motion and it was carried by unanimous vote.

CHICKEN PERMIT 303 ELM STREET

The Board of Trustee reviewed the Chicken Permit Application for 303 Elm Street, David and Stephanie Cassel.

Code Officer Jones inspected the site and approved the application per Village Code.

Trustee Kinsell made a motion to approve the Chicken Permit Application for 303 Elm Street and authorized Clerk Corsette to send the owners, David and Stephanie Cassel, a letter of approval. Trustee Ashby seconded the motion and it was carried by unanimous vote.

PLANNED UNIT DEVELOPMENT (PUD) HIGHBRIDGE/WATERSIDE COMMONS

Attorney Spencer provided an overview of the Planned Unit Development Application for Highbridge/Waterside Commons. The applicant submitted a PUD Application proposing a mixed use development of Commercial/Retail Space and Apartments, the project is comprised of 5 contiguous parcels located between Highbridge Street, Genesee Street and Thompson Street.

Attorney Spencer provided the Village Board a timeline of the SEQRA Process and suggested that the village retain an engineer to review the plans.

Attorney Neil Germain and Engineer Gregg Sgromo gave a short presentation of the project and explained that the Village Planning Board has already reviewed and recommended the PUD Application and sent it back to the Village Board of Trustees to continue the process per the Village Code.

HAZARD MITIGATION PLAN

Mayor Olson made a motion to adopt the following resolution:

RESOLUTION NO. 2019-0819

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF FAYETTEVILLE AUTHORIZING THE ADOPTION OF THE

2019 ONONDAGA COUNTY MULTI- JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Onondaga County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs, including the preparation of Hazard Mitigation Plans; and

WHEREAS, Onondaga County, with a Planning Partnership of Onondaga County municipalities, has gathered information and prepared the 2019 Onondaga County Multi-Jurisdictional Hazard Mitigation Plan Update (the “Plan”), in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Partnership has completed a planning process that has engaged the public with opportunity for input and public comment, assessed the risk and vulnerability to the impacts of natural hazards, developed a mitigation strategy consistent with a set of uniform goals and objectives, and created a plan for implementing, evaluating and revising this strategy; and

WHEREAS, the Village of Fayetteville has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED that the Village of Fayetteville adopts in its entirety, the 2019 Onondaga County Multi-Jurisdictional Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.

Trustee Kinsella seconded the motion and it was carried by unanimous vote.

MS-4 STORMWATER INTERMUNICIPAL AGREEMENT

Trustee Small made a motion to authorize Mayor Olson to sign the MS-4 Stormwater Intermunicipal Agreement with Central New York Regional Planning and Development Board. Trustee Ashby seconded the motion and it was carried by unanimous vote.

REQUEST FOR UNPAID LEAVE OF ABSENCE- JANSEN CASSCLES

Mayor Olson read the letter of request for a 12 month unpaid leave of absence submitted by Lieutenant Jansen Casscles who is taking the paid Fire Chief Position for the Village of Manlius.

Mayor Olson made a motion to grant Lieutenant Jansen Casscles a 6 month Unpaid Leave of Absence from the Fayetteville Fire Department per the contract language, starting on September 9, 2019 and ending on March 9, 2020 . Trustee Kinsella seconded the motion and it was carried by unanimous vote.

LIMESTONE CREEK/BISHOP BROOK BANK STABLIZATION – SEQRA

The Village Board of Trustees completed Parts 2&3 of the SEQRA for the Limestone Creek/Bishop Brook Bank Stabilization.

Mayor Olson made a motion to adopt the following resolution:

Proposed Action: Village of Fayetteville Limestone Creek & Bishop Brook Stream Bank and Riparian Buffer Improvements Project

RESOLUTION DETERMINING THAT THE PROPOSED VILLAGE OF FAYETTEVILLE LIMESTONE CREEK & BISHOP BROOK STREAM BANK AND RIPARIAN BUFFER IMPROVEMENTS PROJECT IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Village of Fayetteville (Village) is proposing the Village of Fayetteville Limestone Creek & Bishop Brook Stream Bank and Riparian Buffer Improvements Project (Project), located in the Village of Fayetteville, Onondaga County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, the Village of Fayetteville Village Board sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to other potentially “Interested Agencies” and “Involved Agencies” (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2), indicating the Village’s desire to serve as the “Lead Agency” (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Village of Fayetteville Village Board serving as Lead Agency for the Project; and

WHEREAS, pursuant to the SEQRA Regulations, the Village of Fayetteville Village Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern:

NOW, THEREFORE, BE IT

RESOLVED that, the Village of Fayetteville Village Board hereby establishes itself as Lead Agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Village's knowledge of the area surrounding the Project, the Village of Fayetteville Village Board makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Village of Fayetteville Village Board, as Lead Agency, hereby directs the Village of Fayetteville Mayor to sign the FEAF Part 3 – Determination of Significance indicating that a Negative Declaration has been issued for the Project; this Resolution shall take effect immediately and will be properly noticed.

SAFE ROUTES TO SCHOOL SIDEWALK PROJECT

Trustee Small made a motion to authorize Mayor Olson to sign the award letter for the Safe Routes to School Sidewalk Project and award the project to E-Z Paving, lowest responsible bidder, contingent upon NYSDOT approval and Attorney approval. Trustee Ashby seconded the motion and it was carried by unanimous vote.

FAYETTEVILLE SENIOR CENTER TREE REMOVAL

Trustee Small made a motion to hire Tree Landers to remove specified pines trees in front of the Fayetteville Senior Center for a cost of \$3800. Trustee Ashby seconded the motion and it was carried by unanimous vote.

DAYCARE CENTER- 101 WORTLEY WAY

Trustee Small made a motion to hire Jessie Allen to repair the leaking windows at 101 Wortley Way for a cost of \$1,750. Trustee Ashby seconded the motion and it was carried by unanimous vote.

FEEDER STREET- EMINENT DOMAIN

Attorney Spencer gave an update on where things stand with the Eminent Domain Procedure for 103-105 Feeder Street. Judge Gilbert has issued an order for Charlie Welch to appear in County Court on September 19, 2019.

MANLIUS HISTORICAL SOCIETY – ANNUAL REPORT

Trustee Small provided the Manlius Historical Society Annual Report to the Village Board for their review.

ROUNDTABLE

Trustee Small asked Code Officer Jones if he has done anything about the trees at Dunkin Donuts.

Code Officer Jones said that he talked to Planning Board Member, Joanne Gagliano, about working with them to replace the trees and what would work best in the area.

Mayor Olson requested that Code Officer Jones site the owner of the property.

DAVIS ULMER SPRINKLER REPAIR QUOTE

Trustee Small made a motion to accept the proposal from Davis Ulmer in the amount of \$1,638 to provide Internal Inspection on the Wet and Dry Systems for the Village Municipal Building as well as replace 7 Air Water Gauges and install 2 Viking White Cover Plates in the Court Room. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

EXECUTIVE SESSION

Trustee Small made a motion to go into Executive Session at 7:50pm for personnel matter and to include Clerk Corsette and Attorney Spencer. Trustee Ashby seconded the motion and it was carried by unanimous vote.

Trustee Ashby made a motion to come out of Executive Session and reconvene the regular meeting. Trustee Small seconded the motion and it was carried by unanimous vote

No further business discussed

Trustee Ashby made a motion to adjourn the meeting at 8:20pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk